THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.23175 of 2005

Date:07.11.2005

V.Ashok Kumar.

--------PETITIONER

The Engineer-in-Chief and others.

---------RESPONDENTS

ORDER:

The petitioner is a retired Assistant Engineer. He claims to have made a representation, dated 14.03.2005, to the Engineer-in-Chief, 1st respondent herein, making certain allegations against respondents 2 and 3 that during their tenure as Deputy Executive Engineer, Sathupalli and Executive Engineer, Khammam, R&B Department, respectively, they have committed certain irregularities. The details thereof have been furnished in the representation. His grievance is that the 1st respondent has not taken any action so far and seeks appropriate directions.

Heard the learned counsel for the petitioner and the learned Government Pleader for Roads and Buildings.

The petitioner had functioned as Assistant Engineer in Khamman District for some time. He made certain allegations against respondents 2 and 3, who functioned in the same District in different capacities. In a writ petition filed under Article 226 of the Constitution of India, it is impermissible to undertake any enquiry into such disputed facts or to direct the 1st respondent to consider

the representation, which is not referable to any Statute. If the petitioner is of the view that there was any improper exercise of power or deviation from the normal duties, he can approach the Institution of Hon'ble Lokayuktha or any other agency, which can undertake verification of these disputed facts.

Hence, the writ petition is dismissed, leaving it open to the petitioner to pursue his remedies in appropriate Forum. There shall no order as to costs.

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07.11.2005

Jsu